

H.R. 4807. An act to designate the facility of the United States Postal Service located at 140 Sacramento Street in Rio Vista, California, as the "Adam G. Kinser Post Office Building".

H.R. 4829. An act to designate the facility of the United States Postal Service located at 103 East Kleberg in Kingsville, Texas, as the "Irma Rangel Post Office Building".

H.R. 4847. An act to designate the facility of the United States Postal Service located at 560 Bay Isles Road in Longboat Key, Florida, as the "Lieutenant General James V. Edmundson Post Office Building".

H.R. 4968. An act to designate the facility of the United States Postal Service located at 25 McHenry Street in Rosine, Kentucky, as the "Bill Monroe Post Office".

H.R. 5051. An act to designate the facility of the United States Postal Service located at 1001 Williams Street in Ignacio, Colorado, as the "Leonard C. Burch Post Office Building".

H.R. 5053. An act to designate the facility of the United States Postal Service located at 1475 Western Avenue, Suite 45, in Albany, New York, as the "Lieutenant John F. Finn Post Office".

H.R. 5107. An act to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

H.R. 5131. An act to provide assistance to Special Olympics to support expansion of Special Olympics and development of education programs and a Healthy Athletes Program, and for other purposes.

H.R. 5204. An act to amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs.

The message also announced that the House has passed the following bills, without amendment:

S. 1721. An act to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land, and for other purposes.

S. 1791. An act to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund, and for other purposes.

S. 2178. An act to make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

S. 2511. An act to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 464. Concurrent resolution honoring the 10 communities selected to receive the 2004 All-America City Award.

H. Con. Res. 500. Concurrent resolution honoring the goals and ideals of National Nurse Practitioners Week.

At 2:47 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5186. An act to reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans.

The message also announced that pursuant to the request of July 15, 2004, the House returned the act (S. 2589) to clarify the status of certain retirement plans and the organizations which maintain the plans to the Senate.

The message further announced that the House agree to the amendment of the Senate to the bill (H.R. 5122) to amend the Congressional Accountability Act of 1995 to permit members of the Board of Directors of the Office of Compliance to serve for 2 terms.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4567) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and appoints the following members as the managers of the conference on the part of the House: Mr. ROGERS of Kentucky, Mr. YOUNG of Florida, Mr. WOLF, Mr. WAMP, Mr. LATHAM, Mrs. EMERSON, Ms. GRANGER, Mr. SWEENEY, Mr. SHERWOOD, Mr. SABO, Mr. PRICE of North Carolina, Mr. SERRANO, Ms. ROYBAL-ALLARD, Mr. BERRY, Mr. MOLLOHAN, and Mr. OBEY.

At 5:48 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 3242. An act to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, and for other purposes.

H.R. 4248. An act to amend title 38, United States Code, to increase the authorization of appropriations for the Secretary of Veterans Affairs to make grants to existing comprehensive service programs for homeless veterans, and for other purposes.

H.R. 4658. An act to amend the Servicemembers Civil Relief Act to make certain improvements and technical corrections to that Act, otherwise to improve legal protections provided to reserve component members called active duty, and for other purposes.

H.R. 4794. An act to amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations, and for other purposes.

H.R. 5163. An act to amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology, and for other purposes.

H.J. Res. 108. Joint resolution congratulating and commending the Veterans of Foreign Wars.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 131. Concurrent resolution expressing the sense of the Congress that student travel is a vital component of the educational process.

H. Con. Res. 195. Concurrent resolution expressing the sense of Congress that a minute of silence should be observed annually at 11:00 a.m. on Veterans Day, November 11, in honor of the veterans of all United States wars and to memorialize those members of the Armed Forces who gave their lives in the defense of the United States.

At 9:59 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4520) to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, services, and high-technology businesses and workers more competitive and productive both at home and abroad.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2938. A bill to grant a Federal charter to the National American Indian Veterans, Incorporated.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that today, October 7, 2004, she had presented to the President of the United States the following enrolled bills:

S. 551. An act to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes.

S. 1421. An act to authorize the subdivision and dedication of restricted land owned by Alaska Natives.

S. 1537. An act to direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery.

S. 1663. An act to replace certain Coastal Barrier Resources System maps.

S. 1687. An act to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System.

S. 1778. An act to authorize a land conveyance between the United States and the City of Craig, Alaska, and for other purposes.

S. 1814. An act to transfer Federal lands between the Secretary of Agriculture and the Secretary of the Interior.

S. 2052. An act to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail.

S. 2180. An act to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado.

S. 2319. An act to authorize and facilitate hydroelectric power licensing of the Tapoco Project.

S. 2363. An act to revise and extend the Boys and Girls Clubs of America.

S. 2508. An act to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-516. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to Pennsylvania's Nutrition Education Program; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION NO. 770

Whereas, poor nutrition is a serious problem within the Commonwealth of Pennsylvania due to a lack of understanding of the health impact of too much sugar, fat and salt in a persons diet; and

Whereas, the problem of poor nutrition is particularly acute among low-income households which often lack the resources for a balanced and nutritious diet; and

Whereas, PA NEP has developed an effective program of bringing nutrition education to community food pantries and other community partners and has impacted the dietary practices of low-income households that access food there; and

Whereas, this commendable and important result has been achieved with the support of the United States Department of Agriculture over the past six years, including recognition that a portion of the food provided by the Commonwealth of Pennsylvania through the State Food Purchase Program qualifies as "nutrition education" when that food is used to reinforce and/or replicate a nutrition lesson; and

Whereas, The United States Department of Agriculture has informed the Pennsylvania Department of Public Welfare that it will no longer permit State Food Purchase Program food to qualify as "nutrition education"; and

Whereas improvement, in the dietary practices of Pennsylvania residents is a matter of urgent public health; and

Whereas, the use of food provided by the State Food Purchase Program to reinforce and/or replicate nutrition lessons is a highly appropriate way to impact the dietary practices of low-income households and is fully consistent with legislative intent; and

Whereas, the decision of the United States Department of Agriculture to no longer consider the cost of food used in the manner as "nutrition education" will cause nutrition education in Pennsylvania's food distribution programs to largely cease: Therefore be it

Resolved, That the House of Representatives call upon the United States Department of Agriculture to recognize that food provided to low-income households through the State Food Purchased Program may be properly considered "nutrition education" when used to reinforce and/or replicate a nutrition lesson; and be it further

Resolved, That the United States Department of Agriculture reconsider its recent policy change and once again permit State Food Purchase Program food to qualify as "nutrition education" under Pennsylvania's Nutrition Education Program; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of the United States Department of Agriculture and to each member of Congress from Pennsylvania.

POM-517. A joint resolution adopted by the Senate of the Legislature of the State of

California relative to food marketing and advertising directed to children; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE JOINT RESOLUTION NO. 29

Whereas, California is in the midst of a growing epidemic of overweight children and childhood obesity due to poor diet and physical inactivity, putting growing numbers of California children at increased risk for type II diabetes, hypertension, heart disease, and cancer, along with psychosocial problems including low self-esteem, poor body image, and symptoms of depression; and

Whereas, a recent study showed that 26.5 percent of California youth in grades 5, 7, and 9 are overweight, with rates being even higher for African-American children (28.6 percent) and Latino children (33.7 percent); and

Whereas, in California, annual obesity-attributable medical expenditures were estimated at \$7.7 billion in 2003, with approximately one-half of these expenditures financed by Medicare and Medi-Cal; and

Whereas, healthy eating and physical activity, including eating five or more servings of fruits and vegetables every day, are vital to preventing people from being overweight or suffering from heart disease, cancer, or diabetes, and ensuring children's health and well-being; and

Whereas, poor diet and physical inactivity are responsible for 400,000 deaths in the United States annually and may soon overtake tobacco as the leading cause of preventable death; and

Whereas, the growing epidemic of childhood obesity has brought renewed attention to the role that food and beverage advertising and marketing play in negatively influencing eating habits of youth; and

Whereas, the food, beverage, and restaurant industries recognize children as a major market force because of their spending power, purchasing influence, and anticipated brand loyalty as adult consumers, with children under 14 years of age purchasing \$24 billion in products and influencing \$190 billion in family purchases each year; and

Whereas, children are being exposed to increasing amounts of marketing and advertising, with \$15 billion spent marketing to children in the United States in 2002, double the amount spent in 1992; and

Whereas, the food, beverage, and restaurant industries utilize multiple strategies to market their products to children, including television advertising, in-school marketing, the Internet, product placements, toys, books, and clothes with food-brand logos, contests, celebrity and cartoon spokespeople, and child targeted in-store and restaurant promotions; and

Whereas, children view an estimated 40,000 commercials each year, 50 percent of which advertise food products—most often products that are high in calories, fats, sugars, and salt, with almost no references to fruits or vegetables. Children watch an average of one food commercial every five minutes of television viewing time, and as many as three hours of food commercials each week. Latino and African-American children are exposed to more television food advertising than other children; and

Whereas, in-school marketing of food and beverages has become increasingly prevalent in recent years and includes: (1) product sales, including sales through vending machines, a la carte, snack bars, soft drink "pouring-rights" agreements through exclusive contracts, branded fast food, and fundraisers; (2) direct advertising, such as food and beverage ads in schools; and (3) indirect advertising, such as corporate-sponsored educational programs, sports team sponsor-

ships, and incentive programs using contests and coupons; and

Whereas, the majority of the foods and beverages sold in school vending machines and school stores are calorically dense and low in nutrients, which promotes purchasing and consumption of these foods while children are away from their parents in a captive environment that is supposed to be dedicated to education; and

Whereas, studies show that food advertising and marketing result in more favorable attitudes, preferences, and behaviors among children towards the advertised products and that children's food preferences and food purchase requests for high sugar and high fat foods are influenced by television exposure to food advertising; and

Whereas, parents face increasing strain between their desire to feed their children well and the intense marketing of high calorie, low-nutrition food and beverages to their children; and

Whereas, in 2003, the World Health Organization concluded that the extensive marketing to children of fast food and high calorie, micronutrient-poor foods and beverages is a probable causal factor for the accelerating global trend in weight gain obesity; and

Whereas, children are particularly vulnerable to marketing of unhealthy foods and beverages because children under the age of 4 or 5 years cannot distinguish between television programming and advertisements, and children age 8 and under are unable to comprehend the persuasive intent and biased nature of advertising, making advertising to young children fundamentally unfair: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the Congress and the President of the United States to require the Federal Trade Commission to (1) develop and implement nutrition standards for foods and beverages that are acceptable to advertise or market to children, including foods and beverages that make a positive contribution to children's diets and health by being moderate in portion size, calories, saturated fat, trans fat, refined sugars, and sodium, and provide key nutrients and (2) prohibit advertising and marketing of foods and beverages that do not meet those standards through broadcast, print, Internet, or other marketing venues for which a significant portion of the audience is children; and be it further

Resolved, That the Legislature memorializes the Congress and the President of the United States to require the Federal Communications Commission to ensure that equal time is given during television programs that have a significant youth audience to encourage fruit and vegetable consumption and physical activity, and discourage consumption of low nutrient foods and beverages. These messages must be produced and delivered by individuals and organizations that have no financial interest in the message; and be it further

Resolved, That the Legislature memorializes the Congress and the President of the United States to fund new and existing media campaigns to promote healthy eating and physical activity, such as the Centers for Disease Control and Prevention's VERB campaign and the National 5 A Day program; and be it further

Resolved, That the Legislature memorializes the Centers for Disease Control and Prevention and the National Institutes of Health to fund research studies to further assess the effects of food and beverage advertising and marketing on the diets and health of children and adolescents; and be it further

Resolved, That the Legislature calls on food and beverage companies, restaurants, retail